

CALENDAR ITEM

C20

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10/16/15

S 1

PRC 8938.9

M. Schroeder

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Jay L. Stone and Faye E. Stone, as Trustees of the 1991 Stone Trust

ASSIGNEE:

William A.S. Magrath, II and Judith B. Magrath, as Trustees of the Magrath Family Trust U/T/D February 11, 2008

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8357 Meeks Bay Avenue, near the community of Tahoma, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and two mooring buoys.

LEASE TERM:

10 years, beginning September 1, 2011.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

OTHER PERTINENT INFORMATION:

1. Assignee owns the upland adjoining the lease premises.
2. On September 1, 2011, the Commission authorized a Recreational Pier Lease to Jay L. Stone and Faye E. Stone, as Trustees of the 1991 Stone Trust, for an existing pier and two mooring buoys. That lease will expire on August 31, 2021. On July 29, 2015, the upland parcel was deeded to William A.S. Magrath, II and Judith B. Magrath, as Trustees of the Magrath Family Trust U/T/D February 11, 2008. The Applicant is now applying for an assignment of lease.
3. The lease was authorized by the Commission prior to the enactment of Chapter 585, Statutes of 2011, which replaced the rent-free provision of a

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prior version of Public Resources Code section 6503.5 with a requirement to charge rent for private recreational piers constructed on state lands. Consequently, no monetary rent is charged under the current lease.

4. The staff recommends that the Commission find that the subject lease assignment does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease assignment is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize the assignment of Lease No. PRC 8938.9, a Recreational Pier Lease, of sovereign land as described in Exhibit A and shown on Exhibit B (for reference purposes only), from Jay L. Stone and Faye E. Stone, as Trustees of the 1991 Stone Trust, to William A.S. Magrath, II and Judith B. Magrath, as Trustees of the Magrath Family Trust U/T/D February 11, 2008; effective July 29, 2015.

SITE



LOCATION

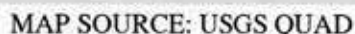


Exhibit A

A map of the Lake Tahoe region. The text 'LAKE TAHOE' is at the top. Below it, 'Placer Co.' and 'El Dorado Co.' are listed. To the right, 'California' and 'Nevada' are listed. An arrow points to a location labeled 'SITE'.

MU 8/05/2015